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CLERK OF COURT

U.S. DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

BY: ns SCANNED BY MW 2/12/18

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANIEL WILLIAM RUDD,

Plaintiff,

v.

CITY OF NORTON SHORES,
GARY NELUND, MARK MEYERS,
DANIEL SHAW, MATTHEW RHYNDRESS,
MICHAEL WASILEWSKI, JON GALE,
CHRIS MCINTIRE, MELISSA MEYERS,
MICHELLE MCLEAN, JOEL BAAR
BOLHOUSE, BAAR, & HOFSTEE PC.,
WILLIAMS HUGHES PLLC, DOUGLAS
HUGHES.

Defendants.

DANIEL WILLIAM RUDD
Plaintiff, non-lawyer, Pro Se
201 S Lake Ave. Spring Lake, MI 49456
(231) 557-2532, daniel@stock20.com

Case No. 1:18-cv-00124-GJQ-RSK

Honorable Gordon J. Quist
U.S. District Court Judge

**PLAINTIFF'S MOTION FOR LEAVE TO
FILE & RECEIVE SERVICE
ELECTRONICALLY
(WITH SUPPORTING BRIEF)**

**PLAINTIFF'S MOTION FOR LEAVE TO
FILE & RECEIVE SERVICE ELECTRONICALLY (WITH SUPPORTING BRIEF)**

- 1) Along with his supporting brief (pg 3) and "PRO SE APPLICATION FOR ELECTRONIC FILING AND SERVICE" Plaintiff states the following in support of his request for e-filing privileges:
- 2) In addition to reviewing Local Civil Rule 5.7 and the instructions for e-filing posted on this Court's website, plaintiff has viewed the Court's instructional video and the written step by step tutorial for electronic filing.

- 3) Plaintiff has maintained a PACER account in good standing since June of 2014 and has successfully located and retrieved hundreds of documents for research purposes.
- 4) Plaintiff has had no difficulty filing documents electronically with the Michigan Court of Appeals through the "Truefiling" system.
- 5) If this request is granted, Plaintiff waives the right to service of documents by mail under Local Civil Rule 5.7(i)(iii).
- 6) As set forth more fully in Plaintiff's brief (pg. 3), granting these privileges will benefit all parties and conserve the resources of the court.
- 7) Plaintiff's "Pro Se Application for Electronic Filing and Service" verifies Plaintiff's compliance with this Court's Pro Se E-Filing and Service Protocol.
- 8) No appearances have been filed by defendants at this time, therefore Plaintiff was not able to seek concurrence on this motion.

Respectfully submitted on 2/12/18:



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Plaintiff's supporting brief begins on the next page.

**PLAINTIFF'S BRIEF IN SUPPORT OF MOTION FOR LEAVE TO FILE & RECEIVE
SERVICE ELECTRONICALLY AS A REGISTERED PRO SE PARTY**

Local Administrative Order No. 17-RL-135 became effective on February 1, 2018. By amending Local Civil Rules 5.7(d)(i) and (ii) and 5.7(i) this Court established the opportunity for pro se litigants to apply for the privilege of filing electronically and receiving electronic service (granted on a case by case basis). This Court has instructed Pro Se applicants to seek this Court's leave AND to submit a completed application.¹ Because these instructions indicate two distinct requirements Plaintiff now seeks leave by filing a motion (and supporting brief). Plaintiff presumes that this Court has fully considered the many reasons for extending the benefits of electronically filed documents to encompass pro se filings. However, Plaintiff will brief this issue to ensure compliance with LCivR 7.1(a).

The rules of this Court "shall be construed to achieve an orderly administration of the business of this Court and to secure the just, speedy and inexpensive determination of every action." See LCivR 1.6. Electronic filing and service of documents certainly facilitates these objectives. However, when even one part in a lawsuit is not authorized to utilize this system, extra labor is created for everyone. Presently, LCivR 5.7(i)(iii) will require all defendants to perform non-electronic service on Plaintiff for all documents filed in this action.

On information and belief, Plaintiff will be the only party requiring this type of service. Granting these privileges to Plaintiff will presumably allow all parties to file and serve documents electronically. In addition to elimination of substantial labor and material waste for all parties, electronic service of documents provides superior assurances of fair

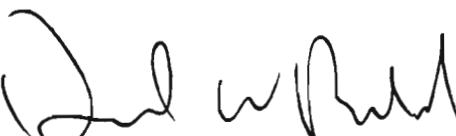
¹ "On a case by case basis, a judge may grant the privilege of electronic filing and service to a non-prisoner pro se party who seeks leave of court to do so. To be considered, the pro se litigant must also complete and submit a Pro Se Application for Electronic Filing and Service." <http://www.miwd.uscourts.gov/representing-yourself> (last accessed 2/8/18 at 4:26pm).

notice. The precision and reliability of electronic service prevents unnecessary ambiguity and delays. This will be more orderly, more just and more expedient.

While filings drafted by non-lawyers may occasionally offend the professional sensibilities of judges and attorneys, there is no reason to subject any reader to needless eye-strain. When a motion or brief has been rendered into the .pdf format by the author, that document will ALWAYS be easier to read. Natively rendered text-based documents are superior to superior in every respect to documents which have first been *printed* (out of the digital realm) and then *scanned* (back into the digital realm). Once this labor intensive process (printing, filings, scanning, entry) has occurred, the PACER database must forever bear the increased cost of storing and delivering a digital record which is larger than it needs to be. When factored over the course of millions of *pro se* filings, the extra labor and increased file size amounts to a substantial tax upon court resources and the environment (labor, paper, postage, & fuel).

Wherefore, under the protocols established by Administrative Order No. 17-RL-135, and the recent amendments of LCivR 5.7, Plaintiff respectfully seeks an order granting privileges to file documents electronically and to receive electronic service of document in as a pro se litigant in this case.

Respectfully submitted on 2/12/18,



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